

REMARKS

Summary of the Office Action

Claims 1-6 stand rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter.

Claims 25-28 stand rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter.

Claims 7, 9-11, 13, and 15-24 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Yoshio et al. (U.S. Patent No. 6,215,952) (hereinafter "Yoshio").

Claim 8, 12 and 14 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Summary of the Response to the Office Action

Applicants have amended claims 1, 7, 11, 13, 15, 21, 23 and 25-28 to differently describe embodiments of the disclosure of the instant application and/or to improve the form of the claims. New claims 29-46 have been added to differently describe embodiments of the disclosure of the instant application. Accordingly, claims 1-46 are currently pending for consideration.

Rejections under 35 U.S.C. § 101

Claims 1-6 stand rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Claims 25-28 stand rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Claims 1 and 25-28 have been amended to improve their form.

In particular, independent claim 1 has been amended to impart a functional interrelationship between the reproducing procedure information and the recording information with an information reproducing apparatus in light of the comments in the Office Action associated with the rejection of claim 1 under 35 U.S.C. § 101. Accordingly, withdrawal of the rejection of claim 1, and its dependent claims 2-6 are respectfully requested.

Independent claims 25 and 27 have each been amended to recite a “computer data signal recording medium in which a computer data signal embodied in a carrier wave is readably recorded by a computer ...” in order to impart a functional interrelationship between the computer data signal recording medium and a computer in light of the comments in the Office Action associated with the rejection of claims 25 and 27 under 35 U.S.C. § 101. Accordingly, withdrawal of the rejection of claims 25 and 27, and their respective dependent claims 26 and 28, are respectfully requested.

Rejection under 35 U.S.C. § 103(a)

Claims 7, 9-11, 13, and 15-24 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Yoshio. Applicants have amended claims 7, 11, 13, 15, 21 and 23 to differently describe embodiments of the disclosure of the instant application. To the extent that

these rejections might be deemed to apply to claims as newly-amended, they are respectfully traversed for at least the following reasons.

Newly-amended independent claim 7, for example, recites an information recording apparatus combination including a feature that different kinds of recording information to be reproduced sequentially are recorded in an information recording medium together with reproducing procedure information. The reproducing procedure information indicates reproducing procedures to reproduce each of the recording information respectively. The information recording apparatus further includes a recording device that records, onto the information recording medium, integrated reproducing procedure information indicating a reproducing procedure to sequentially reproduce the different kinds of recording information.

Applicants respectfully submit that an important feature of embodiments of the disclosure of the instant application involves the integrated reproducing procedure information that indicates a reproducing procedure to sequentially reproduce different kinds of recording information. For example, in an arrangement where different kinds of recording information include: video information recorded in a video format (e.g., picture information and audio information), audio information recorded in an audio format, and data information, it is possible to sequentially reproduce these various types of recording information in a predetermined order by using the integrated reproducing procedure.

On the other hand, Applicants respectfully submit that Yoshio discloses that contents are divided and recorded in a video pack 42, an audio pack 43, and a sub picture pack 44 of a VOB unit (VOBU) 30, as shown in Fig. 1A. The Examiner stated at page 4 of the Office Action that Yoshio discloses that “by using an input unit 98, the audience can input/specify an operation

reproduction command corresponding to the predetermined special operation such as the search, the scan, the slow, the reverse, the pause etc of the reproduction apparatus ...” in its assertion that the specific combination recited in independent claim 7 of the instant application is identical to the disclosure of Yoshio.

Applicants respectfully traverse this assertion for at least the following reasons. A comparison between the features recited in the combination of independent claim 7 and the disclosure of Yoshio will now be described.

Although video information and audio information are recorded separately in Yoshio, the video information and audio information are reproduced simultaneously. There is no teaching, or even a suggestion, of reproducing video information and audio information sequentially. See, for example, col. 18, lines 15 to 33 of Yoshio, that explains that “[a]s a result, according to the present embodiment, it is possible to reproduce an arbitrary audio stream 302 and an arbitrary sub picture stream 303 in combination along with one video stream 301, by the stream selection by use of the PGCI.”

Therefore, Applicants respectfully submit that Yoshio does not disclose, or even suggest, providing different kinds of recording information to be reproduced sequentially, along the lines of features recited in independent claim 7. Even further, Yoshio does not disclose, or even suggest, providing integrated reproducing procedure information that indicates a reproducing procedure to sequentially reproduce different kinds of recording information, along the lines of features recited in independent claim 7. Applicants respectfully submit that similar arguments also apply to newly-amended independent claims 11, 13, 15, 21 and 23. In addition, while independent claims 1, 25 and 27 were not rejected under 35 U.S.C. § 102, Applicants have

nevertheless proceeded to implement similar features into independent claims 1, 25 and 27 as well.

Applicants respectfully assert that the rejections under 35 U.S.C. § 102(e) should be withdrawn because Yoshio does not teach or suggest each feature of independent claims 7, 11, 13, 15, 21 and 23, as amended. As pointed out in MPEP § 2131, "[t]o anticipate a claim, the reference must teach every element of the claim." Thus, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. Of California, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987)." Furthermore, Applicants respectfully asserts that the dependent claims are allowable at least because of their dependence from their respective independent claims, and the reasons set forth above.

The Examiner is thanked for the indication that claims 8, 12 and 14, while objected to as being dependent on rejected base claims, would be allowable if rewritten in independent form. However, Applicants respectfully submit that claim 8, 12 and 14 are also allowable at least because of its dependence from independent claims 7, 11, and 13, respectively. Withdrawal of the objections to claims 8, 12 and 14 are thus respectfully requested.

Newly-Added Dependent Claims

New dependent claims 29-46 have been added to differently describe embodiments of the disclosure of the instant application. Support for the subject matter of these newly-added claims can be found, for example, at page 1, line 22 to page 2, line 12 of the specification of the instant application.

CONCLUSION

In view of the foregoing, Applicants submit that the pending claims are in condition for allowance, and respectfully request reconsideration and timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution. A favorable action is awaited.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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